

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KIMBERLY S. LANTZ,	:	CIVIL ACTION NO. 1:10-CV-885
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
GILLIGAN’S BAR & GRILL, INC.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 18th day of August, 2011, upon consideration of the motion in limine (Doc. 40) filed by plaintiff Kimberly S. Lantz (“Lantz”), wherein Lantz requests that the court exclude evidence that Lantz did not directly report sexual harassment to George Lois,¹ and upon further consideration of the brief in opposition (Doc. 49) to Lantz’s motion, filed by defendant Gilligan’s Bar & Grill, Inc. (“Gilligan’s”), wherein Gilligan’s argues that Lantz’s motion should be denied,² and the court concluding that Lantz’s conduct in reporting (or failing to report) sexual

¹ Lantz contends that the fact that she did not directly report sexual harassment to George Lois, the owner of Gilligan’s, is not relevant. Lantz argues in the alternative that the probative value of evidence on this subject is substantially outweighed by the risk of unfair prejudice, confusion of the issues, and misleading the jury. (Docs. 40-41 at 4).

² Gilligan’s insists that evidence that Lantz failed to report harassment to George Lois is relevant with respect to the following issues “the credibility of [Lantz’s] allegations, the nature of the harassment allegedly suffered by [Lantz], the severity and pervasiveness of the harassment, and any emotional distress caused by the alleged conduct.” (Doc. 49 at 5). Gilligan’s also argues that, if any prejudice to Lantz would result from the admission of the evidence at issue, such prejudice would not substantially outweigh the evidence’s probative value. (*Id.*)

harassment is relevant, and that its probative value outweighs the danger of unfair prejudice or confusing or misleading the jury, it is hereby ORDERED that Lantz's motion in limine (Doc. 40) is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge